

### Amendments to the Claims

Please make the following amendments to the Claims:

1. (Currently Amended) An apparatus for automatically selecting a copy function, the apparatus comprising:

an identification module configured to identify one or more available copy functions in response to a data copy request to copy data to a secondary storage device, each identified copy function compatible with the secondary storage device and available to an application to copy data of the data copy request to the secondary storage device, the secondary storage device comprising one of one or more secondary storage devices available to the application for storing the data;

a comparison module configured to compare one or more copy function attributes of each available copy function to corresponding copy policy attributes of a predefined copy policy, wherein the copy policy comprises a set of copy policy attributes that correspond to the copy function attributes of each copy function, wherein the copy function attributes comprise predefined values that indicate functionality characteristics of the corresponding copy function;

a selection module configured to automatically select a copy function that satisfies the predefined copy policy based on the comparison of the copy function attributes to the corresponding attribute objectives of the copy policy; and

a relationship module configured to establish a copy relationship between the selected copy function and the data copy request, the copy relationship configured to use the selected copy function to copy the data to a secondary storage device,

wherein the identification module, the comparison module, the selection module, and the relationship module comprise at least one of hardware and executable code, the executable code executable on a processor and stored on one or more computer readable media.

2. (Previously presented) The apparatus of claim 1, further comprising a policy generation module configured to read a set of required attributes from the application and to establish the predefined copy policy based on the set of required attributes from the application.
3. (Original) The apparatus of claim 1, further comprising a policy generation module configured to allow a user to determine the predefined copy policy based on a set of required attributes from an application.
4. (Previously presented) The apparatus of claim 1, wherein the identification module is further configured to determine a set of copy functions compatible with the application, determine a set of copy functions compatible with a source storage device, where the data

of the data request is stored, and the secondary storage device, and to determine available copy functions that are common to both the set of copy functions compatible with the application and the set of copy functions that are compatible with the source storage device and the secondary storage device.

5. (Previously presented) The apparatus of claim 1, wherein the comparison module is further configured to compare one or more copy function attributes of a copy function to corresponding predefined copy policy attributes, of the predefined copy policy, for each of a group of available copy functions and the selection module is further configured to select a copy function with a largest number of copy function attributes that satisfy the predefined copy policy attributes.
6. (Currently amended) The apparatus of claim 1, wherein the comparison module is further configured to calculate a difference between one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes, each configured as a numerical value, for each of a group of available copy functions and the selection module is further configured to select a copy function where the total differences between the numerical values of the copy function attributes and the numerical values of the predefined copy policy attributes ~~are~~ is the smallest.

7. (Previously presented) The apparatus of claim 1, wherein the comparison module is further configured to compare a one or more copy function attributes to corresponding predefined copy function attributes for each of the available copy functions to determine a score for each attribute of each copy function, to multiply each score by a priority factor to determine an adjusted score, to sum the adjusted scores for each copy function, and the selection module is further configured to select a copy function with a highest sum of adjusted scores.
8. (Previously presented) The apparatus of claim 1, wherein the comparison module is further configured to calculate a difference between a one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes for each of the available copy functions, to multiply each difference by a priority factor to obtain an adjusted difference, to sum the adjusted differences for each copy function, and the selection module is further configured to select a copy function with a lowest sum of adjusted differences.
9. (Currently amended) An apparatus for automatically selecting a copy function, the apparatus comprising:
- a policy generation module configured to establish a copy policy compatible with an application, the copy policy comprising one or more copy policy attributes;
  - and

a copy request module configured to:

recognize a data copy request that includes the copy policy;

identify one or more available copy functions, each copy function compatible with one or more secondary storage devices and available to the application to copy data to a secondary storage device of the one or more secondary storage devices, the one or more secondary storage devices available to the application for storing data;

compare copy function attributes of each copy function for a storage device to copy policy attributes of the copy policy, wherein the copy policy comprises a set of copy policy attributes that correspond to the copy function attributes of each copy function, wherein the copy function attributes comprise predefined numerical values that indicate functionality characteristics of the corresponding copy function;

automatically select a copy function that satisfies the copy policy based on the comparison of the copy function attributes to the corresponding attribute objectives of the copy policy; and establish a copy relationship between the selected copy function and the data copy request, the copy relationship configured to use

the selected copy function to copy the data to a secondary storage device

wherein the policy generation module and the copy request module comprise at least one of hardware and executable code, the executable code executable on a processor and stored on one or more computer readable media.

10. (Original) The apparatus of claim 9, wherein the policy generation module is configured to read a set of required attributes from the application and to establish a copy policy based on the set of required attributes from the application.
11. (Original) The apparatus of claim 9, wherein the policy generation module is configured to allow a user to determine a predefined copy policy based on a set of required attributes from the application.
12. (Previously presented) The apparatus of claim 9, wherein identifying available copy functions further comprises determining a set of copy functions compatible with the application, determining a set of copy functions compatible with a source storage device and the secondary storage device, and determining available copy functions that are common to both the set of copy functions compatible with the application and the set of copy functions that are compatible with the source storage device and the secondary storage device.

13. (Previously presented) The apparatus of claim 9, wherein comparing attributes of each copy function for a storage device to attributes of the copy policy further comprises comparing ~~a~~ one or more copy function attributes to corresponding copy policy attributes, of the predefined copy policy, for each of a group of available copy functions and automatically selecting a copy function further comprises selecting a copy function with a largest number of copy function attributes that satisfy the predefined copy policy attributes.
14. (Previously presented) The apparatus of claim 9, wherein comparing attributes of each copy function for a storage device to attributes of the copy policy further comprises calculating a difference between ~~a~~ one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes, each configured as a numerical value, for each of the available copy functions and automatically selecting a copy function further comprises selecting a copy function where differences between the copy function attributes and the predefined copy policy attributes are the smallest.
15. (Previously presented) The apparatus of claim 9, wherein comparing attributes of each copy function for a storage device to attributes of the copy policy further comprises comparing one or more copy function attributes, each configured as a numerical value, to a corresponding predefined copy policy attributes, each configured as a numerical value,

for each of the available copy functions, determining a score for each attribute of each copy function, multiplying each score by a priority factor to determine an adjusted score, summing the adjusted scores for each copy function, and automatically selecting a copy function further comprises selecting a copy function with a highest sum of adjusted scores.

16. (Previously presented) The apparatus of claim 9, wherein comparing attributes of each copy function for a storage device to attributes of the copy policy further comprises calculating a difference between ~~a~~ one or more copy function attributes, each configured as a numerical value, and ~~a~~ corresponding copy policy attributes, each configured as a numerical value, for each of the available copy functions, multiplying each difference by a priority factor to obtain an adjusted difference, summing the adjusted differences for each copy function, and automatically selecting a copy function further comprises selecting a copy function with a lowest sum of adjusted differences.

17. (Currently Amended) A system for automatically selecting a copy function, the system comprising:

a file server comprising

an application module configured to send a data copy request from an  
application;



an identification module configured to identify one or more available copy functions in response to a data copy request to copy data to a secondary storage device, each copy function compatible with the secondary storage device and available to the application to copy data of the data copy request to the secondary storage device, the secondary storage device comprising one of one or more secondary storage devices available to the application for storing the data;

a comparison module configured to compare one or more copy function attributes of each available copy function to corresponding copy policy attributes of a predefined copy policy, wherein the copy policy comprises a set of copy policy attributes that correspond to the copy function attributes of each copy function, wherein the copy function attributes comprise predefined values that indicate functionality characteristics of the corresponding copy function;

a selection module configured to automatically select a copy function that satisfies the predefined copy policy based on the comparison of the copy function attributes to the corresponding attribute objectives of the copy policy;

a relationship module configured to establish a copy relationship between the selected copy function and the data copy request, the copy relationship configured to use the selected copy function to copy the data to a secondary storage device.

18. (Previously presented) The system of claim 17, further comprising a policy generation module configured to read a set of required attributes from the application and to establish a predefined copy policy based on the set of required attributes from the application.
19. (Original) The system of claim 17, further comprising a policy generation module configured to allow a user to determine a predefined copy policy based on a set of required attributes from an application.
20. (Previously presented) The system of claim 17, wherein the identification module is further configured to determine a set of copy functions compatible with the application, determine a set of copy functions compatible with a source storage device, where the data of the data request is stored, and the secondary storage device, and to determine available copy functions that are common to both the set of copy functions compatible with the application and the set of copy functions that are compatible with the source storage device and the secondary storage device.

21. (Previously presented) The system of claim 17, wherein the comparison module is further configured to compare one or more copy function attributes to corresponding predefined copy policy attributes, of the predefined copy policy, for each of a group of available copy functions and the selection module is further configured to select a copy function with a largest number of copy function attributes that satisfy the predefined copy policy attributes.
22. (Previously presented) The system of claim 17, the comparison module is further configured to calculate a difference between one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes, each configured as a numerical value, for each of a group of available copy functions and the selection module is further configured to select a copy function where differences between the copy function attributes and the predefined copy policy attributes are the smallest.
23. (Previously presented) The system of claim 17, wherein the comparison module is further configured to compare a one or more copy function attributes to corresponding predefined copy function attributes for each of the available copy functions to determine a score for each attribute of each copy function, to multiply each score by a priority factor to determine an adjusted score, to sum the adjusted scores for each copy function, and the

selection module is further configured to select a copy function with a highest sum of adjusted scores.

24. (Previously presented) The system of claim 17, wherein the comparison module is further configured to calculate a difference between one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes for each of the available copy functions, to multiply each difference by a priority factor to obtain an adjusted difference, to sum the adjusted differences for each copy function, and the selection module is further configured to select a copy function with a lowest sum of adjusted differences.
25. (Currently Amended) A method for automatically selecting a copy function, the method comprising:
- identifying one or more available copy functions in response to a data copy request that includes a predefined copy policy, the data copy request to copy data to a secondary storage device, each copy function compatible with the secondary storage device and available to an application to copy data of the data copy request to the secondary storage device, the secondary storage device comprising one of one or more secondary storage devices available to the application for storing the data;

comparing one or more copy function attributes of each available copy function to corresponding copy policy attributes of the predefined copy policy, wherein the copy policy comprises a set of copy policy attributes that correspond to the copy function attributes of each copy function, wherein the copy function attributes comprise predefined values that indicate functionality characteristics of the corresponding copy function;

automatically selecting a copy function that satisfies the predefined copy policy based on the comparison of the copy function attributes to the corresponding attribute objectives of the copy policy; and

establishing a copy relationship between the selected copy function and the data copy request, the copy relationship configured to use the selected copy function to copy the data to a secondary storage device.

26. (Previously presented) The method of claim 25, further comprising reading a set of required attributes from the application and establishing a predefined copy policy based on the set of required attributes from the application.
27. (Original) The method of claim 25, further comprising allowing a user to determine a predefined copy policy based on a set of required attributes from an application.

28. (Previously presented) The method of claim 25, identifying available copy functions further comprises determining a set of copy functions compatible with the application, determining a set of copy functions compatible with a source storage device, where the data of the data request is stored, and the secondary storage device, and determining available copy functions that are common to both the set of copy functions compatible with the application and the set of copy functions that are compatible with the source storage device and the secondary storage device.
29. (Previously presented) The method of claim 25, wherein comparing one or more attributes of each available copy function corresponding attributes of the predefined copy policy further comprises comparing one or more copy function attributes to corresponding predefined copy policy attributes, of the predefined copy policy, for each of a group of available copy functions and automatically selecting a copy function that satisfies the predefined copy policy further comprises selecting a copy function with a largest number of copy function attributes that meet the predefined copy policy attributes.
30. (Previously presented) The method of claim 25, wherein comparing one or more attributes of each available copy function corresponding attributes of the predefined copy policy further comprises calculating a difference between one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes, each configured as a numerical value, for each of the available copy

functions and automatically selecting a copy function that satisfies the predefined copy policy further comprises selecting a copy function where differences between the copy function attributes and the predefined copy policy attributes are the smallest.

31. (Previously presented) The method of claim 25, wherein comparing one or more attributes of each available copy function corresponding attributes of the predefined copy policy further comprises comparing one or more copy function attributes to corresponding predefined copy policy attributes for each of the available copy functions, determining a score for each attribute of each copy function, multiplying each score by a priority factor to determine an adjusted score, summing the adjusted scores for each copy function, and automatically selecting a copy function that satisfies the predefined copy policy further comprises selecting a copy function with a highest sum of adjusted scores.
32. (Previously presented) The method of claim 25, wherein comparing one or more attributes of each available copy function corresponding attributes of the predefined copy policy further comprises calculating a difference between one or more copy function attributes, each configured as a numerical value, and corresponding predefined copy policy attributes, each configured as a numerical value, for each of the available copy functions, multiplying each difference by a priority factor to obtain an adjusted difference, summing the adjusted differences for each copy function, and automatically selecting a

copy function that satisfies the predefined copy policy further comprises selecting a copy function with a lowest sum of adjusted differences.

33. (Cancelled)

34. (Cancelled)

35. (Cancelled)

36. (Cancelled)

37. (Cancelled)

38. (Currently Amended) A computer readable storage medium comprising computer readable code configured to carry out a method for automatically selecting a copy function, the method comprising:

identifying one or more available copy functions in response to a data copy request that includes a predefined copy policy, the data copy request to copy data to a secondary storage device, each copy function compatible with the secondary storage device and available to an application to copy data of the data copy request to the secondary storage device, the secondary storage device



comprising one of one or more secondary storage devices available to the application for storing the data;

comparing one or more copy function attributes of each available copy function to corresponding copy policy attributes of the predefined copy policy, wherein the copy policy comprises a set of copy policy attributes that correspond to the copy function attributes of each copy function, wherein the copy function attributes comprise predefined values that indicate functionality characteristics of the corresponding copy function;

automatically selecting a copy function that satisfies the predefined copy policy based on the comparison of the copy function attributes to the corresponding attribute objectives of the copy policy; and

establishing a copy relationship between the selected copy function and the data copy request, the copy relationship configured to use the selected copy function to copy the data to a secondary storage device.

39. (Previously presented) The computer readable storage medium of claim 38, wherein identifying available copy functions further comprises determining a set of copy functions compatible with the application, determining a set of copy functions compatible with a source storage device, where the data of the data request is stored, and the secondary storage device, and determining available copy functions that are common to both the set

of copy functions compatible with the application and the set of copy functions that are compatible with the source storage device and the secondary storage device.

- 40. (Cancelled)
- 41. (Previously presented) The apparatus of claim 1, wherein a predefined copy policy attribute within the predefined copy policy comprises a recovery point objective (“RPO”), wherein an RPO comprises an amount of data lost over a period of time.
- 42. (Previously presented) The apparatus of claim 1, wherein a predefined copy policy attribute within the predefined copy policy comprises a recovery time objective (“RTO”), wherein an RTO comprises an amount of time to recover data to a usable condition.
- 43. (Previously presented) The apparatus of claim 1, wherein a predefined copy policy attribute within the predefined copy policy comprises a distance to a secondary site where the secondary storage device is stored.
- 44. (Previously presented) The apparatus of claim 1, wherein a predefined copy policy attribute within the predefined copy policy comprises a consistency, wherein a consistency comprises a determination of dependency on other stored data.

45. (Previously presented) The apparatus of claim 1, wherein a predefined copy policy attribute within the predefined copy policy comprises an application impact, wherein an application impact comprises a performance impact caused by a copy function to the application, the performance impact measured in a unit of time.